

**AMSTER
ROTHSTEIN
& EBENSTEIN**

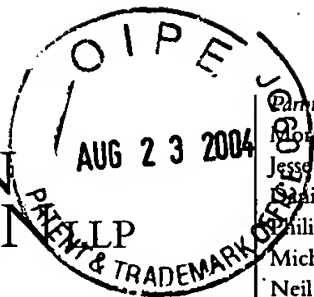
Intellectual Property Law

90 Park Avenue
New York NY 10016

Main 212 336 8000

Fax 212 336 8001

Web www.arelaw.com



Partners
Morton Amster
Jesse Rothstein (1934 - 2003)
Daniel Ebenstein
Philip H. Gottfried
Michael J. Berger
Neil M. Zipkin
Anthony F. Lo Cicero
Kenneth P. George
Abraham Kasdan, Ph.D.
Ira E. Silfin
Chester Rothstein
Craig J. Arnold
Kenneth M. Bernstein

Senior Counsel
Charles R. Macedo
Mark J. Rosenberg
Nancy M. Dodderidge

Of Counsel
Jerry D. Dainow

Associates
Neal L. Rosenberg
Patrick Boland*
Trebor Lloyd
Joseph M. Casino
John S. Economou

Michael V. Solomita
Holly Pekowsky
Michael P. Kenney
Marion P. Metelski
Max Vern
Dana R. Metes
Karl J. Kolbinger
Brian A. Comack
Richard S. Mandaro
Marc J. Jason
Elie H. Gendloff, Ph.D.
David Mitnick
Charles W. Rath
David A. Boag

Karen J. Bernstein
Matthieu Hausig
Jung S. Hahn
Reiko Kaji
Alan D. Miller, Ph.D.
Hsin-Hsin (Ginger) Liu
John A. Lepore*
Norajean McCaffrey

*Not admitted in New York

August 23, 2004

Elie H. Gendloff, Ph.D., Esq.

Direct 212 336 8108

E-mail egendlof@arelaw.com

Via Express Mail

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

"Express Mail" mailing label No.	EL 996361728 US
Date of Deposit:	August 23, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	Elie H. Gendloff
Signature:	

Re: U.S. Utility Patent Application Serial No. 10/038,760 Filed 01/04/2002
Title: INHIBITORS OF ADP-RIBOSYL TRANSFERASES,
CYCLASES AND HYDROLASES, AND USES THEREOF
Inventors: Anthony A. Sauvé and Vern L. Schramm
Our File: 96700/725

Sir/Madam:

Enclosed please find the following documents for filing in connection with the above-identified application in the names of Anthony A. Sauvé and Vern L. Schramm, entitled INHIBITORS OF ADP-RIBOSYL TRANSFERASES, CYCLASES AND HYDROLASES, AND USES THEREOF:

1. Reply to Election/Restriction Requirement (2 pages); and
2. Return receipt postcard.

Commissioner for Patents
Alexandria, VA 22313-1450
Maid Stop Amendment
Serial No. 10/038,760

-2-

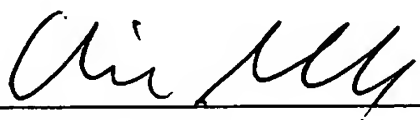
August 23, 2004

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

Respectfully submitted,

Amster, Rothstein & Ebenstein LLP
Attorneys for Applicants
90 Park Avenue
New York, NY 10016
212 336 8000

Dated: New York, New York
August 23, 2004

By: 
Elie Gendloff
Registration No. 44,704

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/038,760

Confirmation No. 6299

Applicant : Anthony A. Sauvé and Vern L. Schramm

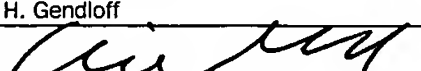
Filed : January 4, 2002

Art Unit : 1623

Examiner : Traviss C. McIntosh III

Docket No. : 96700/725

Customer No. : 1912

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Name:	Elie H. Gendloff
Signature:	

REPLY TO ELECTION/RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply is to the Election/Restriction imposed in the Office Action dated July 23, 2004 in the above-identified case. Since this Reply is due August 23, 2004, it is timely filed.

Election/Restriction

A restriction is imposed requiring selection of one of the following three groups:

- I. Claims 1 (in part), 2-5, 10, 11, 14, 15, 18, 19, and 30-37, drawn to the compound of claim 1 wherein A is a nicotinamide group, a pyridyl group, a substituted pyridyl group, or a pyrimidyl group and compositions comprising the same;
- II. Claims 1 (in part), 6, 7, 12, 16 and 20, drawn to O-linked phenyl, substituted phenyl, pyridyl, substituted pyridyl, or pyrimidyl groups, and compositions comprising the same; and
- III. Claims 1 (in part), 8, 9, 113, 17 and 21, drawn to S-linked phenyl, substituted phenyl, pyridyl, substituted pyridyl, or pyrimidyl groups, and compositions comprising the same.

In response to this Restriction Requirement, applicants elect Group I, drawn to the compound of claim 1 wherein A is a nicotinamide group, a pyridyl group, a substituted pyridyl group, or a pyrimidyl group and compositions comprising the same. The election is made without traverse.

It is noted that this election is consistent with the response filed June 4, 2003 to the Restriction Requirement imposed on May 6, 2003. Applicants also note that the claims exclusive to Groups II and III have already been withdrawn from consideration.

With regard to the election of species requirement imposed in the July 23, 2004 Office Action, applicants elect nicotinamide-2'-deoxyriboside, as claimed in claim 4.

Conclusion


Applicants believe that the above is an adequate response to the Election/Restriction imposed in the Office Action of July 23, 2004. Accordingly, applicants respectfully request examination of the elected Group and species. If there are any minor matters preventing this, applicants request that Examiner McIntosh contact the undersigned attorney.

It is believed that no fee is required with this Reply. However, if a fee is required to maintain pendency of this application, the PTO is authorized to withdraw those funds from Deposit Account No. 01-1785.

Respectfully submitted

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, NY 10016
(212) 336-8000

Dated: New York, New York
August 23, 2004

By: 
Elie H. Gendloff
Registration No.: 44,704